

THE STATE OF NEW HAMPSHIRE
DEPARTMENT OF ENVIRONMENTAL SERVICES
WATER COUNCIL

Appeal of Stephen Andrews and John Carpenter

Docket No. 06-04-WC

RECEIVED

AUG 03 2006

MOTION TO PROVIDE REQUESTED INFORMATION

NOW COMES the Appellant, Stephen Andrews, in this matter requesting that the Presiding Officer compel the Town of Salem to produce the cryptosporidium monitoring and testing data as requested by letter on July 15, 2006.

WHEREAS:

1. The Town of Salem has been testing for the presence of cryptosporidium for both Arlington Pond and Canobie Lake.
2. This Appellant requested the data collected from such testing by letter dated July 15, 2006, pursuant to Env-C 204.07(b).
3. The Town of Salem has failed to respond as required under Env-C 204.07.
4. This Appellant contacted Mr. Graham (counsel for Salem) by telephone on July 28, 2006 inquiring as to the status of the information. Mr. Graham indicated the requested information would be forthcoming soon, but the information has not been delivered as of the drafting of this Motion on August 2, 2006.

WHEREFORE, this Appellant moves that the Presiding Officer order The Town of Salem to produce said data immediately, so that the Appellants may have sufficient time to review the information prior to the continuation of the hearing scheduled for August 9, 2006.

Respectfully submitted this 2nd of August, 2006,

COPY

Stephen Andrews
48 Woodvue Rd.
Windham, NH 03087
(603) 894-1154

CERTIFICATE OF SERVICE

I, Stephen Andrews, hereby certify that a copy of the foregoing request for information was this day mailed first class, postage prepaid to: Mr. Gordon B. Graham, 220 Main St. Salem, NH 03079; Esther Piszczek, Office of the Attorney General, 33 Capitol St., Concord, NH 03302; John Carpenter, 44 Woodvue Rd., Windham, NH 03087; and Stephen Densberger, Presiding Officer, c/o The NH Department of Environmental Services, Water Council, PO Box 95, 29 Hazen Dr., Concord, NH 03302.

By:

COPY

Stephen Andrews